

Serial No. 10/748,737
Art Unit 1616

Docket No. HC12U-US

REMARKS/ARGUMENTS

Claims 1 through 24 are pending in this application.

The Office Action asserts that an election of a single invention is required, as defined by:

Group I, Claims 1-12, drawn to a hair composition and

Group II, Claims 13-24, drawn to a method of treating hair.

Applicants elect to prosecute Claims 13-24 of Group II. Accordingly, Claims 1-13 (Group I) have been withdrawn without prejudice.

Regarding Election of Species, Applicant elects the species polyglyceryl-3-laurate.

The specification and claims have been amended to correct a typographical error in the spelling of this elected species from polyglycerol-3-laurate to polyglyceryl-3-laurate. In this regard attached is page 1819 of the International Cosmetic Ingredient Dictionary and Handbook, Vol. 2 (11th Edition, 2005) ("INCI"), which identified the polyglyceryl-3-laurate species as the ester of lauric acid and polyglycerin-3. Also attached is INCI page 1807, which shows that there are no entries for a "Polyglycerol" compound including polyglycerol-3-laurate. Applicant also attached the product specification sheet for HydramolTM TGL Ester manufactured by Noveon, Inc. which material is polyglyceryl-3-laurate. HydramolTM TGL is identified at page 9 of the Specification, paragraph bridging from page 8. [Note that Scher Chemical, Inc. was acquired by Noveon. See attached.]

In light of the above, Applicant submits that no new matter has been added by way of this amendment.

Applicant has also made a minor correction to Claim 17.

Serial No. 10/748,737
Art Unit 1616

Docket No. HC12U-US

Dated: March 9, 2007

Correspondence Address
Charles J. Zeller, Esq.
AVON Products, Inc.
Avon Place
Suffern, NY 10901-5605
845-369-2113

Respectfully submitted,

By:


Charles J. Zeller
Registration No. 28,682

International Cosmetic Ingredient Dictionary and Handbook

**Eleventh Edition
2006**

Editors
Tara E. Gottschalk
G. N. McEwen, Jr., Ph.D., J.D.

Volume 2

Published by
The Cosmetic, Toiletry, and Fragrance Association
1101 17th Street, NW, Suite 300
Washington, D.C. 20036-4702

No portion of the *International Cosmetic Ingredient Dictionary and Handbook* may be reproduced in whole or in part in any form or by any electronic or mechanical means, including information storage and retrieval systems, without prior written permission from The Cosmetic, Toiletry, and Fragrance Association, Inc., 1101 17th Street, N.W., Suite 300, Washington, DC 20036-4702.

The *International Cosmetic Ingredient Dictionary and Handbook* contains information about ingredient labeling requirements in the United States, the European Union, and other countries. This information is based on publicly available information. While every effort was made to ensure its accuracy and timeliness, compliance with the laws and regulations of the United States, the European Union, or other countries is solely the responsibility of the user of the *Dictionary and Handbook*. CTFA cannot be held responsible for any specific or general use of the information in the *Dictionary and Handbook* and disclaims any liability arising from reliance thereon.

The INCI Names presented in the *International Cosmetic Ingredient Dictionary and Handbook* are the result of substantial efforts by CTFA Staff and a committee of experts from the industry and government. INCI Names are developed and assigned on the basis of rules developed by CTFA. The material as presented in this format is unique and found nowhere else. The compilation and arrangement of the information for convenient reference represents an extensive amount of staff resources, judgment, effort, and time, and contributes to the originality of the text. The *International Cosmetic Ingredient Dictionary and Handbook* is fully copyrighted and may not be copied by any means without the written permission of CTFA.

Concerning U.S. Patent and Trademark Rights: The inclusion in the *International Cosmetic Ingredient Dictionary and Handbook* of a monograph of any cosmetic ingredient, in respect to which patent or trademark rights may exist, shall not be deemed, and is not intended as, a grant of, or authority to exercise, any right or privilege protected by such patent or trademark. All such rights and privileges are vested in the patent or trademark owner, and no other person may exercise the same without express permission, authority, or license secured from such patent or trademark owner.

Copyright © 1973, 1977, 1982, 1985, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005.

The Cosmetic, Toiletry, and Fragrance Association, Inc.
CTFA

All rights reserved.
Library of Congress Catalog Card No. 2005921860
ISBN 1-882621-36-0 (4-volume set)
PRINTED IN THE UNITED STATES OF AMERICA

Polyglyceryl-6 Behenate

POLYGLYCERIN-4

CTFA Monograph ID: 7362

CAS No.: 56491-53-3

JPN Translation:
ポリグリセリン - 4CN Translation:
聚甘油-4

Definition: Polyglycerin-4 is a glycerin polymer containing 4 glycerin units.

Information Source: JCLS

Chemical Classes: Ethers; Polyols

Function: Skin-Conditioning Agent - Humectant

Ingredient Source: Synthetic

Technical/Other Names:

Tetraglycerin
Tetraglycerol

Trade Names:

Polyglycerin #310 (Sakamoto Yakuhin Kogyo)
Polyglycerin 04P (Daiichi Chemical Industries)**POLYGLYCERIN-6**

CTFA Monograph ID: 7563

CAS No.: 36675-34-0 EINECS/ELINCS
253-154-8 (I)JPN Translation:
ポリグリセリン - 6CN Translation:
聚甘油-6

Definition: Polyglycerin-6 is a glycerin polymer containing 6 glycerin units.

Information Source: JCLS

Chemical Classes: Ethers; Polyols

Function: Skin-Conditioning Agent - Humectant

Ingredient Source: Synthetic

Technical/Other Names:

Hexaglycerin
Hexaglycerol

Trade Names:

Polyglycerin #500 (Sakamoto Yakuhin Kogyo)
Polyglycerin 06P (Daiichi Chemical Industries)

Trade Name Mixture:

Natrulon H-6 (Lonza Inc./Lonza Ltd.)

POLYGLYCERIN-10

CTFA Monograph ID: 7564

CAS No.: 9041-07-0 EINECS/ELINCS
232-821-0 (I)JPN Translation:
ポリグリセリン - 10CN Translation:
聚甘油-10

Definition: Polyglycerin-10 is a glycerin polymer containing 10 glycerin units.

Information Source: JCLS

Chemical Classes: Ethers; Polyols

Function: Skin-Conditioning Agent - Humectant

Ingredient Source: Synthetic

Technical/Other Names:

Decaglycerin
Decaglycerol

Trade Names:

Polyglycerine 10PS (Daiichi Chemical Industries)
Polyglycerin #750 (Sakamoto Yakuhin Kogyo)

Trade Name Mixtures:

Natrulon H-10 (Lonza Inc./Lonza Ltd.)
Natrulon RC-50DG (Lonza Inc./Lonza Ltd.)
Natrulon RCS-DG (Lonza Inc./Lonza Ltd.)
Nikkol Decaglyn 1-50SV (Nikka)**POLYGLYCERIN-20**

CTFA Monograph ID: 19144

CAS No.: 25618-55-7 (Generic)

Definition: Polyglycerin-20 is a glycerin polymer containing 20 glycerin units. See *Reported Ingredient Functions-The Cosmetic Drug Distinction, in Regulatory and Ingredient Use Information, Volume I, Part A.*

Chemical Classes: Ethers; Polyols

Functions: Antimicrobial Agent; Humectant; Skin-Conditioning Agent - Humectant; Viscosity Increasing Agent - Aqueous

Ingredient Source: Synthetic

Trade Name:

Polyglycerin 20P (Daiichi Chemical Industries)

POLYGLYCERIN-40

CTFA Monograph ID: 19145

CAS No.: 25618-55-7 (Generic)

Definition: Polyglycerin-40 is a glycerin polymer containing 40 glycerin units. See

Reported Ingredient Functions-The Cosmetic Drug Distinction, in Regulatory and Ingredient Use Information, Volume I, Part A.

Chemical Classes: Ethers; Polyols

Functions: Antimicrobial Agent; Humectant; Skin-Conditioning Agent - Humectant; Viscosity Increasing Agent - Aqueous

Ingredient Source: Synthetic

Trade Name:

Polyglycerin XP (Daiichi Chemical Industries)

POLYGLYCERYL-4 ALMONDATE/SHEA BUTTERATE

CTFA Monograph ID: 11172

Definition: Polyglyceryl-4 Almond/Shea Butterate is an ester of a mixture of fatty acids derived from almond oil and Butyrospermum Parkii (Shea Butter) (q.v.) with Polyglycerin-4 (q.v.).

Chemical Class: Glyceryl Esters and Derivatives

Function: Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Trade Name:

Polyphytol AK-40-DS (Blendit)

POLYGLYCERYL-3 BEESWAX

CTFA Monograph ID: 5163

CAS No.: 136097-93-3

JPN Translation:

ポリグリセリル - 3 ミツロウ

CN Translation:

聚甘油-3 蜂蜡酯

Definition: Polyglyceryl-3 Beeswax is an ester of beeswax fatty acids and Polyglycerin-3 (q.v.).

Chemical Class: Glyceryl Esters and Derivatives

Function: Surfactant - Emulsifying Agent

Ingredient Sources: Animal; Synthetic

Reported Product Category: Mascara

Trade Names:

Cera Bellina (Dekker)
Cera Bellina (Koster Kaunen)**POLYGLYCERYL-6 BEHENATE**

CTFA Monograph ID: 17561

The inclusion of any compound in the Dictionary and Handbook does not indicate that use of that substance as a cosmetic ingredient complies with the laws and regulations governing such use in the United States or any other country.

Monographs • 1807

International Cosmetic Ingredient Dictionary and Handbook

Polyglyceryl-10 Laurate

CAS No.: 98499-88-2

JPN Translation:

ラウリン酸ポリグリセリル - 2

CN Translation:

聚甘油-2 月桂酸酯

Empirical Formula:

 $C_{18}H_{36}O_4$

Definition: Polyglyceryl-2 Laurate is the ester of lauric acid and Diglycerin (q.v.).

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:

Decanoic Acid, monoester with Oxybis (Propanediol)

Diglyceryl Monolaurate

Lauric Acid, Monoester with Diglycerol

Trade Names:

Dermofeel G 2 L (Straetmans)

Sunsoft Q-12D (Taiyo Kagaku)

Trade Name Mixture:

Nikkol Nikkoguard DL (Nikko)

CTFA Monograph ID: 6550

CAS No.: 51033-31-9

JPN Translation:

ラウリン酸ポリグリセリル - 3

CN Translation:

聚甘油-3 月桂酸酯

Empirical Formula:

 $C_{21}H_{42}O_6$

Definition: Polyglyceryl-3 Laurate is the ester of lauric acid and Polyglycerin-3 (q.v.).

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:

Dodecanoic Acid, Monoester with 3,3'-[(2-Hydroxy-1,3-Propanediyl)Bis(Oxy)]Bis[1,2-Propanediol]

Dodecanoic Acid, Monoester with Triglycerol

Triglycerol Laurate

Triglyceryl Monolaurate

Trade Names:

Dermofeel G 3 L (Straetmans)

Sunsoft A-12C (Taiyo Kagaku)
Sunsoft A-121C (Taiyo Kagaku)

POLYGLYCERYL-4 LAURATE

CTFA Monograph ID: 6505

CAS No.: 75795-42-4

JPN Translation:

ラウリン酸ポリグリセリル - 4

CN Translation:

聚甘油-4 月桂酸酯

Empirical Formula:

 $C_{24}H_{48}O_{10}$

Definition: Polyglyceryl-4 Laurate is the ester of lauric acid and Polyglycerin-4 (q.v.).

Information Sources: JCLS, JSQI

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:

Dodecanoic Acid, Monoester with Tetraglycerol

Tetraglyceryl Monolaurate

Trade Name:

S-Face L-4Q1 (Sakamoto-Yakuhin Kogyo)

POLYGLYCERYL-5 LAURATE

CTFA Monograph ID: 6508

CAS No.: 126738-83-0

JPN Translation:

ラウリン酸ポリグリセリル - 5

CN Translation:

聚甘油-5 月桂酸酯

Empirical Formula:

 $C_{27}H_{54}O_{12}$

Definition: Polyglyceryl-5 Laurate is the ester of lauric acid and a glycerin polymer containing an average of 5 glycerin units.

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:

Dodecanoic Acid, Monoester with Pentaglycerol

Pentaglyceryl Monolaurate

Trade Names:

Dermofeel G-6 L (Straetmans)

Sunsoft A-12E (Taiyo Kagaku)

Sunsoft A-121E (Taiyo Kagaku)

POLYGLYCERYL-6 LAURATE

CTFA Monograph ID: 6566

CAS No.: 51033-38-6

JPN Translation:

ラウリン酸ポリグリセリル - 6

CN Translation:

聚甘油-6 月桂酸酯

Empirical Formula:

 $C_{30}H_{60}O_{14}$

Definition: Polyglyceryl-6 Laurate is the ester of lauric acid and Polyglycerin-6 (q.v.).

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:

Dodecanoic Acid, Monoester with Hexaglycerol

Dodecanoic Acid, Monoester with 4,8,12,16,20-Pentaoxatridecane-1,2,8,10,14,18,22,23-Octol

Hexaglyceryl Monolaurate

Trade Names:

Nikkol Hexaglyn 1-L (Nikko)

S-Face L-601 (Sakamoto Yakuhin Kogyo)

Sunsoft Q-12F (Taiyo Kagaku)

Trade Name Mixture:

Oryza Sterol - LC (Oryza Oil)

POLYGLYCERYL-10 LAURATE

CTFA Monograph ID: 4137

CAS No.: 34406-68-1

JPN Translation:

ラウリン酸ポリグリセリル - 10

CN Translation:

聚甘油-10 月桂酸酯

Empirical Formula:

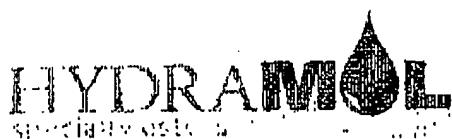
 $C_{42}H_{84}O_{22}$

Definition: Polyglyceryl-10 Laurate is an ester of lauric acid and Polyglycerin-10 (q.v.).

Information Sources: 21CFR172.854; JCLS, JSQI

Chemical Class: Glyceryl Esters and Derivatives

The inclusion of any compound in the Dictionary and Handbook does not indicate that use of that substance as a cosmetic ingredient complies with the laws and regulations governing such use in the United States or any other country.



Edition: April 28, 2006

Hydramol™* TGL Ester

Product Specifications

INCI Name: Polyglyceryl-3 Laurate
 Chemical Name: Triglycerol Monolaurate
 CAS Number: 51033-31-9

	MINIMUM	MAXIMUM	TEST FREQUENCY	NOVEON PROCEDURE NUMBER
Appearance @ 25°C	Clear to Slightly Hazy Viscous Liquid	Clear to Slightly Hazy Viscous Liquid	Once Per Lot	C016
Color, Gardner	—	4	Once Per Lot	C040
Odor	Slight, Characteristic	Slight, Characteristic	Once Per Lot	C017
Acid Value (mg KOH/gram)	—	6.00	Once Per Lot	C001
Saponification Value (mg KOH/gram)	128.00	144.00	Once Per Lot	C008
Infrared Spectrum	Conforms to References	Conforms to References	Once Per Lot	C013

SPEC # 2216-1
 Previous Edition: November, 2004

noveon

The information contained herein is believed to be reliable, but no representations, guarantees or warranties of any kind are made as to its accuracy, suitability for particular applications or the results to be obtained therefrom. The information is based on laboratory work with small-scale equipment and does not necessarily indicate end product performance. Because of the variations in methods, conditions and equipment used commercially in processing these materials, no warranties or guarantees are made as to the suitability of the products for the application disclosed. Full-scale testing and end product performance are the responsibility of the user. Noveon, Inc. shall not be liable for and the customer assumes all risk and liability of any use or handling of any material beyond Noveon's direct control.

The Specialty Chemicals Innovator[®]

The SELLER MAKES NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Nothing contained herein is to be considered as permission, recommendation, nor as an inducement to practice any patented invention without permission of the patent owner.

Noveon, Inc. / 8811 Brecksville Road, Cleveland, Ohio 44141-3247 / TEL: 800-378-6389 or 216-447-6000

Noveon, Inc. is a wholly owned subsidiary of The Lubrizol Corporation
 *Trademark owned by The Lubrizol Corporation
 © Copyright 2006 The Lubrizol Corporation. All rights reserved.

Noveon Expands Personal Care Business with Acquisition of Scher Chemicals, Inc.

Page 1 of 2

print

e-mail

link

RSS

del.icio.us

Digg

Technorati

Noveon Expands Personal Care Business with Acquisition of Scher Chemicals, Inc.



NOVEON LOGO

Noveon, Inc. logo. (PRNewsFoto)(TC)
CLEVELAND, OH USA 05/23/2001

CLEVELAND, Jan. 6 /PRNewswire/ -- Noveon, Inc. announced today that it has acquired Scher Chemicals, Inc., a manufacturer of emollient and surfactant specialty chemicals used in cosmetic and other personal care formulations. This investment expands Noveon's personal care product offering to include specialty emollients and other ingredients important to its customer base. Scher markets their products under the brand names Schercemol(TM), Schercoquat(TM), Schercomid(TM), and Hydramol(TM). The products are widely used globally throughout the personal care industry. The terms of the agreement were not disclosed.

(Logo: <http://www.newscom.com/cgi-bin/prnh/20010523/CLW011LOGO-b>)

According to Bill Sedlacek, Sr. VP and General Manager of Noveon's Personal Care and Pharmaceutical product lines, "The acquisition of the Scher product line is another step in our effort to expand Noveon's global product offering as a key personal care ingredients supplier. We are very excited about these new product lines we can provide to our global customer base."

Noveon is a leading global producer and marketer of technologically advanced specialty chemicals for a broad range of consumer and industrial applications with revenues in 2002 of \$1.1 billion. Noveon is headquartered in Cleveland, Ohio, with regional centers in Brussels, Belgium, and Hong Kong.

This release contains forward-looking statements that relate to future events or performance. These statements reflect the Company's current expectations, and the Company does not undertake to update or revise these forward-looking statements, even if experience or future changes make it clear that any projected results express or implied in this or other Company statements will not be realized. Furthermore, investors are cautioned that these statements involve risks and uncertainties, many of which are beyond the Company's control, which could cause actual results to differ materially from the forward-looking statements. Further information about these risks can be found in the Company's filings with the Securities and Exchange Commission.

Investors are cautioned not to place undue reliance on any forward-looking statements contained herein, which speak only of the date hereof. The Company undertakes no obligation to publicly release the results of any revisions to these forward-looking statements that may be made to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.

SOURCE Noveon, Inc.

Related links:

• <http://www.noveoninc.com>

Photo Notes: <http://www.newscom.com/cgi-bin/prnh/20010523/CLW011LOGO-b>

BEST AVAILABLE COPY